

**CONSENT AGENDA
OCTOBER 11, 2011**

A. APPROVAL OF MINUTES

- 1. SUBJECT: APPROVAL OF MINUTES DATED MAY 9
AND MAY 10, 2011**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB **B**.

B. SCHEDULE PUBLIC HEARING

- 1. SUBJECT: SCHEDULE PUBLIC HEARING
AMENDING ORDINANCE FOR THE TAX
RELIEF FOR THE ELDERLY AND
DISABLED**

**R-FY-12
RESOLUTION SCHEDULING A PUBLIC HEARING
ON PROPOSED ORDINANCE INCREASING
THE NET COMBINED FINANCIAL WORTH AND
THE INCOME LIMITS TO BE ELIGIBLE FOR
TAX EXEMPTION OR DEFERRAL
FOR THE ELDERLY AND HANDICAPPED**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to schedule a Public Hearing for November 16, 2011 at 7:15 p.m., or as soon thereafter, in the Board Room, Montgomery County Government Center located at 755 Roanoke Street, Christiansburg, Virginia to hear citizen comments on the following:

Proposed Ordinance to Amend Chapter 2, Section 2-107, Entitled Tax Exemption and Deferrals for the Elderly and Handicapped.

An Ordinance Amending Chapter 2, Division 5, Section 2-107 of the Code of the County of Montgomery, Virginia Entitled Tax Exemption and Deferrals for Elderly and Handicapped by Increasing the Net Combined Financial Worth and the Income Limits to be Eligible for Relief.

ISSUE/PURPOSE: Schedule a public hearing.

JUSTIFICATION: In 2008 it was recommended to increase the income limits by increments of \$5,000 annually moving toward the state maximum of \$50,000, for the

elderly and disabled as consideration of exemption or deferral of real estate taxation. This ordinance amendment would increase the income limit from \$45,000 to \$50,000 and the net combined financial worth from \$125,000 to \$150,000. The changes will be effective for the 2012 tax year.

See TAB C for a copy of the proposed ordinance.

C. APPROPRIATIONS AND TRANSFERS

1. SUBJECT: FIRE PROGRAM FUND

A-FY-12- FIRE PROGRAM FUND

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012 for the function and in the amount as follows:

23311	Fire Program Fund Distribution	\$79,603
-------	--------------------------------	----------

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

424401	Fire Program Fund Distribution	\$79,603
--------	--------------------------------	----------

Said resolution appropriates funds received from the Fire Program Fund for use by volunteer fire departments.

ISSUE/PURPOSE: Allocate Fire Program funds.

JUSTIFICATION: Monies within the Fire Fund are provided by the Department of Fire Programs for the improvement of volunteer and salaried fire service operations in counties, cities and towns. Funds are obtained from a 1% assessment levied by the state on insurance premiums. Monies provided to the County are distributed based on population in the unincorporated areas of the County that are served by each fire department. The population data is based on address points in each area as maintained in the County's GIS system. The distribution is as follows:

	Population	%	Allocation
Blacksburg	11071	31.05%	24,715
Christiansburg	9552	26.79%	21,324
Elliston	7228	20.27%	16,135
Longshop/McCoy	1962	5.50%	4,380
Riner	5845	16.39%	13,048
	35658		79,603

D. SPECIAL USE PERMITS

1. SUBJECT: SPECIAL USE PERMIT EXTENSION EMERALD INVESTORS, INC.

R-FY-12

A RESOLUTION EXTENDING THE AUTHORIZATION PERIOD FOR SPECIAL USE PERMIT R-FY-10-46 AN ADDITIONAL YEAR FOR SUBSTANTIAL CONSTRUCTION TO OCCUR EMERALD INVESTORS, INC.

WHEREAS, In September 2009, the Board of Supervisors granted Emerald Investors, Inc., Special Use Permit R-FY-10-46 for the purpose of allowing a convenience store with motor fuel sales in a General Business Zoning District for Tax Map Parcel 104-A-30 in the Riner Magisterial District; and

WHEREAS, Section 10-54(3)(j) states that a Special Use Permit shall be void after two (2) years unless substantial construction has taken place, however, the Board of Supervisors may extend authorization for an additional one year upon request of the applicant; and

WHEREAS, Emerald Investors, Inc. has not under taken substantial construction and therefore desires for the Board of Supervisor to extend the period under the Special Use Permit one (1) additional year.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to extend the authorization period of Special Use Permit R-FY-10-46 for an additional year for substantial construction to occur.

ISSUE/PURPOSE: To grant an extension of a special use permit.

JUSTIFICATION: Emerald Investors, Inc., has requested an extension of their Special Use Permit in order to be given additional time to start their development project along the 177 Corridor. See TAB **D**.

**2. SUBJECT: SPECIAL USE PERMIT EXTENSION – S&P
OF VIRGINIA, LLC**

**R-FY-12-
A RESOLUTION EXTENDING THE AUTHORIZATION PERIOD
FOR SPECIAL USE PERMIT R-FY-10-45 AN ADDITIONAL YEAR
FOR SUBSTANTIAL CONSTRUCTION TO OCCUR
S&P OF VIRGINIA, LLC**

WHEREAS, In September 2009, the Board of Supervisors granted S & P of Virginia, LLC, Special Use Permit R-FY-10-45 for the purpose of allowing a convenience store with motor fuel sales in a General Business Zoning District for Tax Map Parcels 104-A-32A, 104-A-32, 104-A-33, and 104-7-A in the Riner Magisterial District; and

WHEREAS, Section 10-54(3)(j) states that a Special Use Permit shall be void after two (2) years unless substantial construction has taken place, however, the Board of Supervisors may extend authorization for an additional one year upon request of the applicant; and

WHEREAS, S & P of Virginia, LLC has not under taken substantial construction and therefore desires for the Board of Supervisor to extend the period under the Special Use Permit one (1) additional year.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to extend the authorization period of Special Use Permit R-FY-10-45 for an additional year for substantial construction to occur.

ISSUE/PURPOSE: To grant an extension of a special use permit.

JUSTIFICATION: S&P of Virginia has requested an extension of their Special Use Permit in order to be given additional time to start their development project along the 177 Corridor. See TAB E.

**R-FY-12-
A RESOLUTION EXTENDING THE AUTHORIZATION PERIOD
FOR SPECIAL USE PERMIT R-FY-10-47 AN ADDITIONAL YEAR
FOR SUBSTANTIAL CONSTRUCTION TO OCCUR
ROGER WOODY**

JUSTIFICATION: Roger Woody has requested an extension of their Special Use Permit in order to be given additional time to start his development project along the 177 Corridor. See TAB **F** .

E. BOARD OF SUPERVISORS

- 1. SUBJECT: AMEND BOARD OF SUPERVISORS MEETING DATES**

**R-FY-12-
RESOLUTION AMENDING THE
BOARD OF SUPERVISORS MEETING DATES IN
NOVEMBER AND DECEMBER 2011**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby schedules its first meeting in November on Wednesday, **November 16, 2011.**

BE IT FURTHER RESOLVED, The Board of Supervisors hereby cancels its second meeting in December due to the holidays.

ISSUE/PURPOSE: Resolution changing the Board of Supervisors first meeting in November due to Board Members attending the VACo Conference at the Homestead, November 13-15, 2011. This resolution also cancels the second meeting in December due to the holidays. The first meeting in December will remain the second Monday (December 12, 2011).

F. APPOINTMENTS

- 1. SUBJECT: NEW RIVER VALLEY AGENCY ON AGING**

**R-FY-12-
NEW RIVER VALLEY AGENCY ON AGING
REAPPOINT ROBERT E. GRIBBEN
AND DEENA A. FLINCHUM AS ALTERNATE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Robert E. Gribben** to the **New River Valley Agency on Aging** effective October 1, 2011 and expiring September 30, 2012.

BE IT FURTHER RESOLVED, The Board of Supervisors reappoints **Deena A. Flinchum** as an **alternate** to the **New River Valley Agency on Aging** effective October 1, 2011 and expiring September 30, 2012.

ISSUE/PURPOSE: Reappoint Robert Gribben to the NRV Agency on Aging and reappoint Deena Flinchum as his alternate.

JUSTIFICATION: Upon inquiry, both Mr. Gribben and Ms. Flinchum said they wish to be reappointed to the NRV Agency on Aging.

2. **SUBJECT: PARKS AND RECREATION COMMISSION**

**R-FY-12-
PARKS AND RECREATION COMMISSION
TIMOTHY Q. NELSON**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Timothy Q. Nelson**, who resides in District B, to the **Parks and Recreation Commission** effective October 12, 2011 and expiring October 11, 2014.

ISSUE/PURPOSE: Appoint Timothy Nelson to the Parks and Recreation Commission.

JUSTIFICATION: Mr. Nelson was interviewed by the Interview Committee and recommended for appointment.

3. **SUBJECT: AMENDMENT TO THE MONTGOMERY
TOURISM DEVELOPMENT COUNCIL
APPOINTMENTS**

**R-FY-12-
MONTGOMERY TOURISM DEVELOPMENT COUNCIL
AMEND APPOINTMENT RESOLUTION R-FY-12-22
TO INCLUDE AN EX-OFFICIO NON-VOTING MEMBER
TO REPRESENT VIRGINIA TECH**

WHEREAS, Montgomery County entered into a Joint Tourism Agreement with the Towns of Blacksburg and Christiansburg for the purpose of creating and implementing a Joint Tourism Program; and

WHEREAS, Section 4 of the Cooperative Agreement requires that an advisory council be created, and known as the Montgomery Tourism Development Council (MTDC), which shall provide guidance to the operating board and tourism staff in the development and implementation of an ongoing tourism program; and

WHEREAS, Section 4(b) requires that the MTDC include a representative from Virginia Tech be included as an ex-officio, non-voting member of the MTDC, to be designated by Virginia Tech; and

WHEREAS, Appointment of an ex-officio, non-voting representative from Virginia Tech was inadvertently omitted from the appointment resolution R-FY-12-22 adopted by the Board of Supervisors on August 22, 2011.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby amends resolution R-FY-12-22 “Appointments Montgomery Tourism Development Council” to include a representative from Virginia Tech as an ex-officio, non-voting member of the MTDC.

BE IT FURTHER RESOLVED, This amendment shall be attached to, and become a part of, resolution R-FY-12-22.

ISSUE/PURPOSE:	Amend appointment resolution for the MTDC to include an ex-officio non-voting representative from Virginia Tech as required in the Joint Tourism Agreement entered into by Montgomery County and the Towns of Blacksburg and Christiansburg.
----------------	--

JUSTIFICATION:	Appointment of an ex-officio non-voting representative from Virginia Tech was inadvertently left out of the resolution adopted by the BoS on August 22, 2011. See TAB <u>G</u> for a copy of the resolution.
----------------	---